

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 29, 2006

DIVISION ONE

B194443 Zeta Graff (Not for Publication)

v.

Superior Court, Los Angeles County
(Paris Hilton, r.p.i.)

THEREFORE, let a peremptory writ issue, commanding respondent superior court to vacate its order of September 28, 2006, denying petitioner's motion to quash subpoenas for medical records and deposition testimony served on Dr. Linda Moghtader, and to issue a new and different order granting same, in Los Angeles Superior Court case No. SC086295, entitled Zeta Graff v. Paris Hilton et al. The temporary stay order is hereby terminated. The parties shall bear their own costs.

Mallano, Acting P. J. Vogel, J. Rothschild, J.

B188093 People (Not for Publication)

v.

J.H.

The order under review is reversed and the matter is remanded with directions to commit the minor to the California Youth Authority for a maximum term of 22 years.

Mallano, Acting P.J.

We concur: Rothschild, J.
 Jackson, J. (Assigned)

DIVISION TWO

B185680 Ridgway 110, Inc. (Not for Publication)

v.

Four Point Entertainment et al.

The order and judgment of the trial court are affirmed. Ridgway to recover costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

B177747 Cassady (Certified for Partial Publication)

v.

Morgan, Lewis & Bockius LLP,

The order granting a new trial is affirmed, and the matter is remanded for further proceedings consistent with the opinions expressed herein. Cassady shall recover his costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

November 29, 2006 (Continued)

DIVISION THREE (Continued)

B184706 Wang (Not for Publication)
v.
Xue

The judgment is affirmed with respect to liability against Charles Xue. The judgment is reversed only on the measure of damages. Wang is awarded costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B19187 People (Not for Publication)
v.
Roman

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

B181660 People (Not for Publication)
v.
Dunn

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION FIVE

B189385 People (Not for Publication)
v.
Orlando Flores

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B179653 The U.D. Registry, Inc.,
v.
The State of California et al.,

Filed order modifying concurring and dissenting opinion by Justice
Armstrong. (No change in the judgment)

B179653 The U.D. Registry, Inc.,
v.
The State of California et al

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

November 29, 2006 (Continued)

DIVISION SIX

B187471 People (Not for Publication)
v.
Martinez

The judgment is reversed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SEVEN

B193386 People
v.
Superior Court, Los Angeles County
(Humberto S., r.p.i.)

Filed order modifying opinion. (No change in the judgment)

B185975 Centinela Valley Union School Dist. (Not for Publication)
v.
California Board of Education

The order awarding costs to respondents as prevailing party is reversed. The case is remanded for further proceedings on the issues of costs and attorney fees not inconsistent with this opinion. The school districts are to recover their costs on appeal.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

DIVISION SEVEN (Continued)

B188213 Huntington Park Police Officers Assoc. (Not for Publication)

V.

City of Huntington Park et al.,

The judgment is reversed and the cause is remanded to the trial court with directions to conduct an evidentiary hearing and to make factual determinations regarding the origin and effect of the purported rules and regulations of the "Huntington Park Police Officers' Association Rules and Regulations." If they are not the rules and regulations referred to in the MOU, then the trial court is directed to make further findings if other rules and regulations exists, and if so, the substance and content of those rules and regulations. If the court determines the rules and regulations incorporated into the MOU are in fact the rules and regulations contained in the "Huntington Park Police Officers' Association Rules and Regulations," including the provision for part-time hires, then the court shall reinstate the judgment. If the court determines the MOU's reference is instead to some other set of rules and regulations, then court shall considers those rules and regulations and determine the association's petition for writ of mandate de novo in accordance with those other rules and regulations. Each side to bear its own costs on appeal.

Johnson, J.

We concur: Perluss, P.J.

Zelon, J.

B186585 People (Not for Publication)

V.

O'Bannon

The appeal is dismissed.

Zelon, J.

We concur: Perluss, P.J.

Johnson, J.

DIVISION EIGHT

Court convened at 9:15 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

Each of the following:

B182844	Gonzalez v. Merchant Building Maintenance LLC
B187645	Tyler v. Jackson et al.
B188129	People v. Williams
B189077	People v. Gutierrez
B190676	Laufer v. Abelson
B193247	Shanise H. v. SCLA (DCFS)

Argument waived, cause submitted.

B191816	Sturgeon et al., v. Sturgeon et al.,
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Merits:

Argued by Thomas Banks for appellants and by Robert Hoffman for respondents. Cause submitted.

B186016	Soltes v. Miller et al.,
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Merits:

Argued by Jay Bloom for appellant and by Dale Goldfarb for respondents. Cause submitted.

DIVISION EIGHT (Continued)

B163824 Militonian et al.,
 v.
 Adamian Oil Company, Inc. et al.,

Merits:
Argued by Joel R. Bennett for appellants and by John D. Wilson for
respondents. Cause submitted.

B182232 Said
 v.
 Jegan

Merits:
Argued by Robin Meadow for appellant and by Larry Hoffman for
respondent. Cause submitted.

Boland, J. leaves the bench.

Each of the following:

B182131 Mathis v. Calif. State Unemployment Ins. Appeals Board
B181465 Amusement Industry, Inc. v. Antin et al.
B187489 Luckett v. Keylee

Oral argument continued to January 31, 2007, at 9:00 a.m.

B185842 Twin Med, Inc.,
 v.
 JPH Management et al.,

Oral argument continued to February 27, 2007, at 9:00 a.m.

Court recessed at 11:18 p.m.

November 29, 2006 (Continued)

DIVISION EIGHT (Continued)

Court reconvened at 2:30 p.m.

Present: Cooper, P.J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

B179388 Silverbrand
v.
State of California et al.,

Merits:

Argument presented via teleconference by Peter Silverbrand appellant in propria persona and by Jung Shin, Deputy Attorney General for respondent. Cause submitted.

Court adjourned.

B183059 People (Not for Publication)
v.
Cantabrana, et al.

Appellants' sentences are reversed and remanded for retrial, for reconsideration of the appropriate amount of custody and related conduct credits. The abstracts of judgment shall be corrected, to show that the sentences on count 1 are to an indeterminate term of life in prison, with the possibility of parole. In all other respects, the judgments are affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

DIVISION EIGHT (Continued)

B185031 Ma (Not for Publication)
v.
Sabin et al.,

The judgment is affirmed. Costs on appeal to Respondent.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

B187494 Los Angeles County, D.C.S. (Not for Publication)
v.
James F. et al.

The matter is remanded to the juvenile court with directions to review appellants' section 388 petition on the merits. As required, based on section 388, the juvenile court should consider whether a change of circumstances or new evidence might make a modification of the placement order in the children's best interests. Once this determination is made, the juvenile court may deny the petition on the merits, grant an evidentiary hearing to further investigate the matter, or take other appropriate action.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B190676 Laufer, (Not for Publication)
v.
Rosalia Laufer Abelson, as Trustee, etc.,

The judgment is affirmed. Respondent shall recover costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

DIVISION EIGHT (Continued)

B183468 A.A.M. Health Group, Inc.,
v.
Argus Health Systems, Inc.,

Filed order vacating submission order of August 30, 2006. Oral argument was held in Bradley et al. v. First Health Services Corp. et al. (B185672) on November 28, 2006 and due to the complexity of the related issues in these two cases, additional time is needed to complete & file the opinion in this matter. Cause resubmitted.

B183060 Hoier, (Not for Publication)
v.
Global Digital Media Xchange, Inc., et al.,

The judgment is affirmed. The respondents are awarded their costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B189941 Hodge et al., (Certified for Publication)
v.
Superior Court, Los Angeles County
(Aon Insurance Services et al., r.p.i.)

Let a peremptory writ of prohibition issue restraining respondent court from enforcing its order granting defendants' request for a jury trial. Our temporary stay shall remain in effect until this opinion becomes final. Petitioners are entitled to costs in this proceeding.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.